

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

AMERICA'S COLLECTIBLES NETWORK, INC.,)
d/b/a JEWELRY TELEVISION,)
Plaintiff,)
V.) No. 3:09-CV-143
STERLING COMMERCE (AMERICA) INC.,)
Defendant.)
(JORDAN/GUYTON)

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is an Emergency Motion to Amend Briefing Schedule [Doc. 234], filed by Defendant. In the Emergency Motion, the Defendant asks the Court to extend the time for the parties to file dispositive motions until the Court and parties have had an opportunity to address the Plaintiff's Motion to Reopen Limited Discovery [Doc. 229], which was filed February 5, 2014. Defendant proposes a briefing schedule that extends the deadlines for filing and briefing Motions for Summary Judgment and proposes dates and deadlines for certain discovery.

Plaintiff has responded in opposition to Defendant's Emergency Motion. [Doc. 235]. Plaintiff argues that Defendant has not shown a legitimate basis for delaying the filing of its Motion for Summary Judgment, and Plaintiff maintains that the Court should deny the Defendant's request for further written discovery.

The Court has considered the parties' positions and the procedural posture of this case. The Court finds that the Emergency Motion is well-taken in part. Accordingly, the Emergency Motion [Doc. 234] is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The request to stay the deadlines related to Motions for Summary Judgment is **GRANTED**. The deadlines for filing Motions for Summary Judgment and for making responses and replies thereto are **STAYED** until the undersigned rules upon the Motion to Reopen Limited Discovery [Doc. 229],¹ and thereafter, enters an order setting deadlines for briefing.
2. All other requests for relief contained therein are **DENIED**.

Further, the parties are advised that the Motion for Summary Judgment deadlines will be reset in a manner that is consistent with the briefing schedule endorsed by the District Judge, *i.e.* 60 days for responses, 35 days for replies per Order, Doc. 227.

IT IS SO ORDERED.

ENTER:

/s H. Bruce Guyton
United States Magistrate Judge

¹ The Court intends to set a hearing on this matter on February 20 or 21, and chambers will contact the parties regarding scheduling as soon as practicable.